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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 ROBERT D. THORSON,

12 Defendant.

CASE NO. CR16-277RSM

ORDER DENYING DEFENDANT'S  
MOTION FOR RECONSIDERATION

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14 This matter comes before the Court on Defendant Robert D. Thorson's Motion for  
15 Reconsideration of Order Denying Defendant's Pending Motions. Dkt. #155. The Court's  
16 earlier Order declined to consider Defendant's motion to dismiss due to his pending appeal. Dkt.  
17 #154. Defendant now contends that subject matter jurisdiction is not involved in his appeal and  
18 that the Court should consider his earlier motions.<sup>1</sup> Dkt. #155. For the following reasons the  
19 Court denies Defendant's Motion.  
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21 "Motions for reconsideration are disfavored." LCrR 12(b)(10)(A). "The court will  
22 ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or  
23 a showing of new facts or legal authority which could not have been brought to its attention earlier  
24 with reasonable diligence." LCrR 12(b)(10)(A).  
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26 <sup>1</sup> Defendant filed a Motion to Dismiss and subsequently sought to amend his Motion to Dismiss.  
27 Dkts. ##152, 153. The Court denied Defendant's Motion to Amend as well as the underlying  
Motion to Dismiss. Dkt. #154.

1 The Court is not persuaded that it should reconsider its prior Order. Defendant has not  
2 presented any new facts or legal authority that could not have been presented by Defendant in  
3 his earlier motions. Additionally, Defendant's Motion fails to demonstrate manifest error.  
4 Defendant is incorrect that subject matter jurisdiction is not a part of his appeal. The Court of  
5 Appeals "has a continuing obligation to assess its own subject-matter jurisdiction, even if the  
6 issue is neglected by the parties entirely." *United States v. Ceja-Prado*, 333 F.3d 1046, 1049  
7 (9th Cir. 2003) (citations omitted).  
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9 For these reasons, the Court finds and ORDERS that Defendant's Motion for  
10 Reconsideration of Order Denying Defendant's Pending Motions (Dkt. #155) is DENIED.

11 DATED this 22 day of May, 2018.

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14 RICARDO S. MARTINEZ  
15 CHIEF UNITED STATES DISTRICT JUDGE  
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